

**MINTZ LEVIN
COHN FERRIS
GLOVSKY AND
POPEO PC**

*Boston
Washington
Reston
New York
San Diego
Palo Alto
New Haven
Los Angeles
London*

**RECEIVED
CENTRAL FAX CENTER
DEC 04 2006**

*9255 Towne Centre Drive,
Suite 600
San Diego, CA 921221
858-320-3000 Telephone
858-320-3001 fax
www.mintz.com*

Fax Cover Sheet

DATE: December 4, 2006

FROM: Carl A. Kukkonen, III
Telephone No.: 858-320-3035
cakukkonen@mintz.com
TO: Attn: Examiner Stephen J. Kalafut

To:

NAME	COMPANY	BUSINESS #	FAX #
Commissioner for Patents	U. S. Patent and Trademark Office	571-272-6107	571-273-8300

MESSAGE:

Applicant : Frank T. Hartley
Serial No. : 10/786,232
Filed : February 26, 2004
Art Unit : 1745
Conf. No.: 9193
Examiner: Kalafut, Stephen J.
Title: FUEL CELL WITH IONIZATION MEMBRANE

Attached, please find the response to Final Office Action (9 pages) date mailed October 16, 2006.

TRA 2229309v.1

We are sending a total of 10 pages, including this cover sheet.

Please call us at 858-320-3000, if you experience any problems.

STATEMENT OF CONFIDENTIALITY

THE INFORMATION CONTAINED IN THIS FAX IS INTENDED FOR THE EXCLUSIVE USE OF THE ADDRESSEE AND MAY CONTAIN CONFIDENTIAL OR PRIVILEGED INFORMATION. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY FORM OR DISSEMINATION OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF THIS FAX WAS SENT IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY PHONE.

DEC 04 2006

Attorney's Docket No.: 34793-502

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Frank T. Hartley
Serial No. : 10/786,232
Filed : February 26, 2004
Title : FUEL CELL WITH IONIZATION MEMBRANE

Art Unit : 1745
Examiner : Stephen Kalafut

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT IN REPLY TO FINAL ACTION OF OCTOBER 16, 2006

Please amend the above-identified application as follows:


Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 8 of this paper.

CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on the date indicated below.

December 4, 2006
Date of Transmission


Signature

Teri Barnett
Typed or Printed Name of Person Signing Certificate